

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services—T&A (Sub) Services—Sri K.Seetharamaiah, Sub-Treasury Officer, District Treasury, Karimnagar District—Allegation of corruption—Trapped on 14.11.2002 by ACB—Report of Tribunal for disciplinary Proceedings, Hyderabad – Punishment—Orders—Issued.

FINANCE (ADMN.III) DEPARTMENT

G.O.Rt..No.2030

Dated:16 .4.2010.

Read the following:-

1. Lr.Rc.No.318/RCT-KNR/2002, dt 19.11.2002 from the Director General, ACB, Hyderabad.
2. Memo No.5989/6/A2/Admn.I.VIG/03, dt 15.10.2003, Finance (Admn.I-VIG) Dept.
3. Report of the T.D.P. in TEC No.73/2004 received through Dis.No.S/42/2007, dt 31.10.2007 from the Secretary, Tribunal for Disciplinary Proceedings, Hyderabad.
4. Memo NO.26266/638/A1/Admn.III/2004, dt 19.11.2007, Finance (Admn.III) Department.
5. Representation of Sri K.Seetharamaiah, Sub-Treasury Officer, District Treasury, Karimnagar District, dt 2.1.2008.
6. Memo No. 26266/638/A1/Admn.III/2004, dt 23.1.2009 Finance (Admn.III) Dept.
7. Representation of Sri K.Seetharamaiah, Sub-Treasury Officer, District Treasury, Karimnagar District, dt 3.3.2009.
8. Lr.No.201/RT-I/1/2010, 17.3.2010 from the Secretary, A.P.P.S.C., Hyderabad.

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In the reference 1st read above, the Director General, ACB, Hyderabad has reported that Sri K.Seetharamaiah,, Sub-Treasury Officer, District Treasury, Karimnagar District has been trapped at his residence on 14.11.2002 when he demanded and accepted the bribe amount of Rs. 1000/- from Shri R.Murali, Resident of Siricilla, Karimnagar District for doing official favour in forwarding the Medical reimbursement bill pertaining to the wife of Shri R.Murali and after following due procedure, he was suspended by the Regional Joint Director, Region.III, Hyderabad on 15.11.2002.

2. In the reference 2nd read above, the Accused Officer was placed on defence before the Tribunal for Disciplinary Proceedings, Hyderabad.

3. In the reference 3rd read above, Government have received the inquiry report in TEC No.73/2004 from the Tribunal for Disciplinary Proceedings and the Tribunal for Disciplinary Proceedings in its report held that the charge against the Charged Officer was held proved.

4. In the reference 4th read above, a copy of the Inquiry Report was furnished to Sri Sri K.Seetharamaiah, Sub-Treasury Officer, District Treasury, Karimnagar District and directed him to submit his representation, if any, on the TDP Report.

5. In the reference 5th read above, Sri K.Seetharamaiah, Sub-Treasury Officer, District Treasury, Karimnagar District has submitted his representation on the TDP Report wherein he stated that the point that was not considered by the prosecution as well as by the Tribunal with regard to the location and possession of the file and the following evidences and his representation goes to prove this: i) the Charged Officer stated that, by the time he left office on 13.11.2002, in the evening, the complainant Sri Murali along with the file and association members went and discussed his case with the Dist.Treasury Officer (on 14.11.2002 the transaction took place when he was at his house). (ii) When the complainant took the file along with members of the Association and till it is returned it to him, he was not aware of the location of the file. (iii) the finding of the Tribunal in Para-16 of the report that “this believes the defence theory that Charged Officer has nothing to do with Ex P-7 file” is out of context and unjustified. (iv) the Tribunal unjustifiably, irrationally and in a biased manner made the above statement in its report. The Tribunal or the Prosecution did not at any time refute the fact and his statement that the complainant took the file along with members of the Association to the Dist. Treasury Officer on the evening of 13.11.2002 and did not return it to his seat on the same evening before he left the office and this goes to prove that the file was not with him till he left the office on the evening of 13.11.2002. (v) the complainant took the file to Dist. Treasury Officer. The Dist. Treasury Officer in his cross examination on 13.11.2002 stated that “In connection with the administrative sanction for reimbursement of the medical bills of PW1, the union members along with PW1 met him prior to the trap and that he has not stated that in Ex.P9 statement that he “has to look after” medical bills. In the previous sentences he categorically stated that Smt. Ch.Sophia was the custodian of the files in the office and by the time of trap, no official work was pending with Charged Officer as Smt. Sophia deals with the file. He also stated that in the second instance, the Charged Officer endorsed that clarification should be obtained”. (vi) When the matter is pending with Dist.Treasury Officer along with file on 13.11.2002 which the complainant and association members are fully aware of, the prosecution as well as the Tribunal did not choose to call for the association members who went along with the complainant to the Dist. Treasury Officer on 13.11.2002 the prosecution and the tribunal did never choose to refute this fact at all. (vii) thus the issue of bills was represented to the District Treasury Officer by the Complainant along with the association members on 13.11.2002. The fact is that the complainant did not represent the issue of the alleged demand of bribe to the District Treasury Officer or to the association members even on 13.11.2002.

6. Not satisfying with the representation submitted by the Charged Officer in the reference 5th read above, Government have provisionally decided to impose the punishment of withholding of pension and gratuity in full, permanently on Sri K.Seetharamaiah, Sub-Treasury Officer (Retired), Dist. Treasury, Karimnagar and issued a Show cause notice vide reference 6th cited, directing him to explain as to why the punishment of withholding of pension and gratuity in full permanently should not be imposed on him under Rule 9 of A.P.Revised Pension Rules, 1980 r/w G.O.Ms.No.2, GA (Ser.A) Dept., dt 4.1.1999 and Memo No.178/Spl.C/03-1, dt 7.5.2003, G.A (Spl.C) Dept.

7. In the reference 7th read above, Sri K.Seetharamaiah,, Sub-Treasury Officer, District Treasury, Karimnagar District has submitted his representation on the Show-Cause Notice issued by Government has attributed malafides to the case worker, Smt. Ch.Sophia, Senior Accountant who happened to be PW-5 in the proceedings before the Tribunal for Disciplinary Proceedings, arguing that she put the file concerned on his table on 13.11.2002 i.e. the day before the incident. He also attributed conspiracy on her and other staff members and stated that she colluded with the complainant.

8. Government after careful examination came to a conclusion that there is no basis for these arguments and they appear to be hypothetical. At the same time there is no definite evidence to say that Smt. Ch.Sophia, Senior Accountant, PW.5 put the file concerned on the table of the Charged Officer on 13.11.2002, without the knowledge of the Charged Officer. The concerned file was traced on the table of the Charged Officer on 14.11.2002. The comments of the charged officer against the member of the Tribunal for Disciplinary Proceedings are uncalled for and they are in excess of his limitations and without any evidence. The charged officer should have restrained from making such comments. Government have taken a provisional decision for imposing the major penalty of withholding of pension and gratuity in full, permanently, on Sri K.Seetharamaiah, Sub-Treasury Officer (Retired), Dist. Treasury, Karimnagar, under Rule 9(1), (6) (b) (i) of A.P.Revised Pension Rules, 1980 r/w. G.O.Ms.No.2, GA (Ser.A) Dept., dt 4.1.1999 and Memo No.178/Spl.C/03-1, dt 7.5.2003, G.A (Spl.C) Dept. and the A.P.Public Service Commission was addressed for concurrence to the said punishment.

9. In the reference 8th read above, the A.P.Public Service Commission have agreed with the proposal of Government, to impose punishment of withholding of pension and gratuity in full permanently against Sri K.Seetharamaiah, Sub-Treasury Officer (Retired).

10. Therefore, Government after careful examination of the matter, hereby order to impose the major penalty of withholding of pension and gratuity in full, permanently, on Sri K.Seetharamaiah, Sub-Treasury Officer (Retired), Dist. Treasury, Karimnagar, under Rule 9(1), (6) (b) (i) of A.P.Revised Pension Rules, 1980 r/w. G.O.Ms.No.2, GA (Ser.A) Dept., dt 4.1.1999 and Memo No.178/Spl.C/03-1, dt 7.5.2003, G.A (Spl.C) Dept.

11. The Director of Treasuries & Accounts, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHAMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To
The Director of Treasuries & Accounts,
Andhra Pradesh, Hyderabad.

Copy to:

The Director General,
Anti-Corruption Bureau,
Hyderabad.
A.P.Vigilance Commission,
Hyderabad.

The A.P.Public Service Commission,
Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER.